

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Mag. Judge Case No.
	)	04-M-273-JLA
MICHAEL CUGNO	)	
Defendant	)	

GOVERNMENT'S OPPOSITION TO  
DEFENDANT CUGNO'S MOTION RE: BAIL

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, opposes the motion of defendant Michael Cugno ("Cugno") for return of \$10,000 he posted as a condition of release. In his motion, Cugno mischaracterizes the \$10,000 as temporary.

On November 22, 2004, the Court entered conditions of release ordering Cugno to execute a bond for \$100,000. It ordered that, to secure his early release, Cugno was to post \$10,000 security on or before November 24, 2004, and that he was to secure the bond with certain real property. The court did not order that upon providing the security via the real property that the \$10,000 that Cugno initially posted was to be returned. Because of this, the government contends that the \$10,000 should not be returned to the surety.

Accordingly, Cugno's motion re: bail should be denied.

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Susan M. Poswistilo  
SUSAN M. POSWISTILO  
Assistant U.S. Attorney